

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re : **Chapter 11 Case No.**
 :
LEHMAN BROTHERS HOLDINGS INC., et al., : **08-13555 (SCC)**
 :
Debtors. : **(Jointly Administered)**
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**ORDER GRANTING THE FOUR HUNDRED FIFTY-FIFTH
OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY CLAIMS)**

Upon the four hundred fifty-fifth omnibus objection to claims, dated January 17, 2014 (the “Four Hundred Fifty-Fifth Omnibus Objection to Claims”),¹ of Lehman Brothers Holdings Inc., as Plan Administrator under the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors for certain entities in the above-referenced chapter 11 cases (collectively, the “Chapter 11 Estates”), pursuant to section 502(b) of title 11 of the United States Code (the “Bankruptcy Code”), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure, and this Court’s order approving procedures for the filing of omnibus objections to proofs of claim (ECF No. 6664) (the “Procedures Order”), seeking disallowance and expungement of the No Liability Claims, all as more fully described in the Four Hundred Fifty-Fifth Omnibus Objection to Claims; and due and proper notice of the Four Hundred Fifty-Fifth Omnibus Objection to Claims having been provided, and it appearing that no other or further notice need be provided; and the Court having found and determined that the relief sought in the Four Hundred Fifty-Fifth Omnibus Objection to Claims is in the best interests of the Chapter 11 Estates, their creditors, and all parties in interest and that the legal and factual bases set forth in the Four Hundred Fifty-Fifth Omnibus Objection to Claims establish just cause

¹ Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Four Hundred Fifty-Fifth Omnibus Objection to Claims.

for the relief granted herein; and after due deliberation and sufficient cause appearing therefore,
it is

ORDERED that the relief requested in the Four Hundred Fifty-Fifth Omnibus
Objection to Claims is granted; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the claims
listed on Exhibit 1 annexed hereto (collectively, the “No Liability Claims”) are disallowed and
expunged with prejudice; and it is further

ORDERED that this Order has no res judicata, estoppel, or other effect on the
validity, allowance, or disallowance of, and all rights to object and defend on any basis are
expressly reserved with respect to, any claim listed on Exhibit A annexed to the Four Hundred
Fifty-Fifth Omnibus Objection to Claims that is not listed on Exhibit 1 annexed hereto; and it is
further

ORDERED that this Court shall retain jurisdiction to hear and determine all
matters arising from or related to this Order.

Dated: March 4, 2014
New York, New York

/s/ Shelley C. Chapman
HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE

Exhibit 1

OMNIBUS OBJECTION 455: EXHIBIT 1 - NO LIABILITY CLAIMS

08-13555-mg Doc 43394 Filed 03/04/14 Entered 03/04/14 16:03:13

Main Document

NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	ASSERTED TOTAL CLAIM DOLLARS	AMOUNTS TO BE DISALLOWED	REASON FOR PROPOSED DISALLOWANCE
1 ACORN PARTNERS, LP	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	27121	Undetermined	Undetermined	Claim 27121 is a protective claim pursuant to which claimant alleges that it has no liability to LBHI in connection with a litigation between LBHI and certain third parties, Adv. Pro. No. 09-01062. Claimant is not a party to such litigation, and, in any event, the litigation has been settled. LBHI is not liable to claimant in connection with such litigation or any other matters referenced in the proof of claim.
2 BARRIOS, ROSALINDA; AN INDIVIDUAL	09-10137 (JMP)	BNC Mortgage LLC	09/20/2010	67087	\$250,000.00	\$250,000.00	Claim 67087 is filed against BNC for claims asserted in a complaint (a copy of which is attached to the proof of claim) filed by claimant against BNC and certain third parties in the Superior Court of the State of California. The claim primarily alleges wrongdoing in connection with a foreclosure proceeding that was conducted on or about August 25, 2009. BNC was not involved in the foreclosure proceeding because on June 29, 2009, BNC had assigned all of its rights and interest in the subject premises, loan and deed of trust securing the loan. Moreover, BNC also has no liability with respect to claimant's remaining allegations pertaining to the negotiations and origination of the loan because such allegations: (i) concern wrongdoing committed by individuals and entities other than and unaffiliated with BNC, or is otherwise unspecified as to BNC; (ii) BNC did not have a fiduciary relationship with claimant; and (iii) claimant's factual averments and conclusory allegations do not allege any wrongdoing by BNC or otherwise assert any basis for liability of BNC. It should be noted that the state court proceeding was commenced by claimant on January 8, 2010, after BNC's petition date, in violation of the automatic stay. To the extent the claim is not expunged and the complaint is not dismissed as against BNC, BNC reserves all of its rights relating to claimant's automatic stay violation.
3 CENTRA PARK LLC	08-13555 (JMP)	Lehman Brothers Holdings Inc.	12/04/2009	65850	Undetermined	Undetermined	Claim 65850 is a protective claim pursuant to which claimant alleges that it has no liability to LBHI in connection with a litigation between LBHI and certain third parties, Adv. Pro. No. 09-01062. Claimant is not a party to such litigation, and, in any event, the litigation has been settled. LBHI is not liable to claimant in connection with such litigation or any other matters referenced in the proof of claim.

OMNIBUS OBJECTION 455: EXHIBIT 1 - NO LIABILITY CLAIMS

NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	ASSERTED TOTAL CLAIM DOLLARS	AMOUNTS TO BE DISALLOWED	REASON FOR PROPOSED DISALLOWANCE
4 CHAMPION ENERGY SERVICES, LLP	08-13885 (JMP)	Lehman Brothers Commodity Services Inc.	09/22/2009	30550	Undetermined	Undetermined	Claim 30550 is contingent on the possibility that the claimant may have setoff rights on amounts owed under a note issued by claimant and assigned to Lehman Brothers Commodity Services ("LBCS"). LBCS has requested, and the creditor has not provided, any reason to conclude that such setoff rights will accrue.
5 SEIKALY, RONY	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	27139	Undetermined	Undetermined	Claim 27139 is a protective claim pursuant to which claimant alleges that it has no liability to LBHI in connection with a litigation between LBHI and certain third parties, Adv. Pro. No. 09-01062. Claimant is not a party to such litigation, and, in any event, the litigation has been settled. LBHI is not liable to claimant in connection with such litigation or any other matters referenced in the proof of claim.
TOTAL					\$250,000.00	\$250,000.00	